

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LOCATA LBS LLC, a California limited
liability company,

Plaintiff,

v.

PAYPAL, INC., a Delaware corporation, and
EBAY INC., a Delaware corporation,

Defendants.

No. C 14-01864 JSW

**ORDER RESERVING RULING
ON DEFENDANTS' MOTION TO
DISMISS**

Now before the Court is the motion to dismiss filed by eBay Inc. and PayPal Inc. ("Defendants"). Upon consideration of the parties' papers and the relevant legal authority, the Court finds that it would be beneficial to conduct claims construction before adjudicating the motion to dismiss. Therefore, the Court HEREBY RESERVES RULING on the pending motion to dismiss.

The Court FURTHER ORDERS that the case management conference, currently scheduled for September 12, 2014, is ADVANCED to August 29, 2014 at 11:00 a.m. In their joint management statement, the parties shall include a proposed schedule for briefing on the claims construction. The Court notes that the parties previously submitted a stipulation and proposed order for selecting an ADR process, but merely stated that their requested process and deadline were "to be determined." In effect, the parties failed to select any ADR process or

1 deadline. The Court directs the parties to meet and confer and to submit a revised stipulation
2 and proposed order.

3 **IT IS SO ORDERED.**

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5 Dated: August 14, 2014


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE